

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GAN H. ENG, TAN F. LAM, KWOK C. TANG, JUN Q. CHAN, KAM C. HO, XIAO Z. ZHANG, YAT C. CHAN, MING HO, RONG J. CHEN, JIAN Z. LUO, LE Y. CHEN, JIAN B. YAN, SU C. JIANG, XIU H. JIANG, XIU LIN, TAK S. CHENG, SHU C. HUANG, MEI J. HUANG and OY K. KWAN,

07 CV 3909 (MGC)

Plaintiffs,

**AFFIRMATION IN
SUPPORT OF MOTION**

-against-

THE NICE RESTAURANT, INC., BEN H. TOM, MEE MEE TOM a.k.a. MEE MEE M. TOM a.k.a. MEE MEE MEI, YAN SHING CHAN, CHEUNG YONG, SHING SI SUN, SHEN PING CHU, JOHN TAM, SI KIT WU, SI HUNG WU, CHUI BAI TAM, and JIMMY MOY a.k.a. JIMMY MUI a.k.a. JIMMY MEI,

Defendants.

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JOHN F. KEATING, JR., affirms under penalty of perjury, as follows:

1. I am a member of the Bar of this Court and a member of Keating & McHugh, attorneys for Defendant William Tam, sued herein as Chui Bai Tam, and as such have personal knowledge of the matters stated herein.
2. I make this affirmation in support of Defendant William Tam's motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure.
3. Attached hereto as **Exhibit 3** is a true copy of the complaint filed herein by Plaintiffs on May 18, 2007.

4. Attached hereto as **Exhibit 4** is a true copy of the pages of the transcript of the deposition of William Tam taken on February 26, 2008, cited in the accompanying memorandum of law.

Dated: March 28, 2008

/s/ John F. Keating

John F. Keating